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October 15, 2019

VIA ECF

The Honorable Denise L. Cote  
United States District Court for the Southern District of New York  
500 Pearl St., Room 1910  
New York, NY 10007

Re: *Citizens Union of the City of New York, et al. v. The Attorney General of the State of New York*, 16-cv-9592

Dear Judge Cote:

We represent Plaintiffs Citizens Union of the City of New York and Citizens Union Foundation, Inc. of the City of New York (collectively, “Citizens Union”) in the above-captioned action. Pursuant to Rule 4.A of this Court’s Individual Practices in Civil Cases, Citizens Union respectfully requests permission to file the enclosed exhibit to the Declaration of Akiva Shapiro, which consists of attorney billing records, in redacted form. The material that Citizens Union proposes redacting is attorney-client privileged and/or protected attorney work product, as it would reveal counsel’s specific services, litigation strategy, or communication with clients. *See, e.g., Elliott Assocs., L.P. v. Republic of Peru*, 176 F.R.D. 93, 97 (S.D.N.Y. 1997) (“[A]ttorney invoices revealing the details of the services rendered are protected.”); *Bank Brussels Lambert v. Credit Lyonnais (Suisse) S.A.*, 1995 WL 598971, at \*2 (S.D.N.Y. Oct. 11, 1995) (“[C]orrespondence, bills, ledgers, statements, and time records which also reveal the motive of the client in seeking representation, litigation strategy, or the specific nature of a service provided . . . fall within the attorney-client privilege.”); *see also Tabatznik v. Turner*, 2016 WL 1267792, at \*13 (S.D.N.Y. Mar. 30, 2016) (permitting redaction of billing records in context of application for attorney’s fees); *Makinen v. City of New York*, 2016 WL 1451543, at \*6 (S.D.N.Y. Apr. 12, 2016) (same). Pursuant to Rule 4.A, Citizens Union is also submitting to this Court, via hand delivery and email, a full set of the relevant documents in highlighted form.

Should the Court approve this request, Citizens Union will publicly file redacted materials and file the set of unredacted materials with the Sealed Records Department of the Southern District of New York.



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Respectfully submitted,

*/s/ Akiva Shapiro*

Akiva Shapiro

Enclosures

cc: All counsel of record (via ECF)